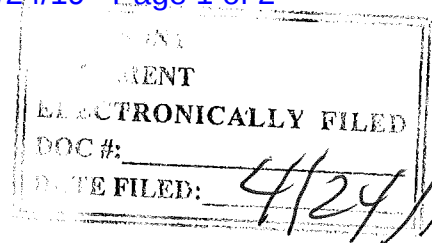


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
JOSE de JESUS,

Plaintiff,

v.

VUTHAJ, LLC, d/b/a Allora Ristorante;
ANTINORI RESTAURANT, INC., d/b/a
Ancora Ristorante; and HALIL E. DJONBALIJ,
Defendants.
-----X**ORDER**

18 CV 7519 (VB)

On April 22, 2019, the parties in this Fair Labor Standards Act case filed a settlement agreement (Doc. #28-1), and a joint statement explaining the basis for the agreement (Doc. #28), as required by Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015).

The Court has considered the following factors: (i) the parties' position as to the proper valuation of plaintiff's claims; (ii) the risks and costs of continuing to litigate; (iii) that plaintiff is represented by counsel; (iv) that the parties participated in the Court's mediation program; (v) that plaintiff no longer works for defendants; (vi) that plaintiff is receiving approximately 82 percent of the estimated unpaid wages claimed to be owed; and (vii) the fact that the agreement does not contain a confidentiality clause.¹

Based on the foregoing, the Court finds the settlement agreement is fair and reasonable, and the product of arm's-length negotiation, not fraud or collusion.

Additionally, the Court finds the attorneys' fees, which are one-third of the recovered amount, to be fair and reasonable under the circumstances.

¹ The settlement agreement contains a "No Publication" clause barring the parties from publicly discussing the settlement's terms. (Doc. #28-1 ¶ 8). However, a copy of the settlement agreement is available on the public docket.

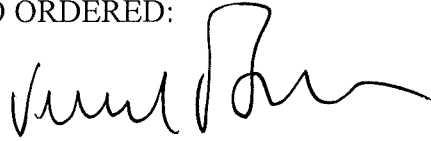
CONCLUSION

The parties' settlement agreement (Doc. #28-1) is APPROVED, and the case is DISMISSED WITH PREJUDICE. All scheduled court appearances are cancelled. Any pending motions are moot.

The Clerk is instructed to close this case.

Dated: April 24, 2019
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge